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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,718

09/21/2005

Wolfgang Rzaeki

32860-000863/US

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30596 7590 06/07/2007
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EXAMINER

BASINGER, SHERMAN D

ART UNIT

PAPER NUMBER

3617

MAIL DATE

DELIVERY MODE

06/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/527,718

Applicant(s)

RZADKI ET AL.

Examiner

Sherman D. Basinger

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,18 and 39 is/are rejected.
- 7) ☒ Claim(s) 2,4-17,19-38 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The new sheet of drawing with new figure 5 filed April 27, 2007 has been approved; however, a brief description and a detailed description of figure 5 are required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Levedahl.

Levedahl discloses a corvette vessel-type equipment system, comprising:
a vessel hull 40, matched to the corvette vessel-type equipment system on a size and requirement-specific basis, and having a plurality of vessel protection areas (first deck, second deck, third deck and fourth deck of figure 13);

standard equipment segments 100, formed from standard units and components arranged in accordance with the requirements in the vessel hull of the corvette vessel-type equipment system, and installable in vessel hulls of different vessel-type equipment systems; and
a power generator segment 58 including a first electrical system (see column 6, lines 44 and 45), the first electrical system including generators (see column 6, line 45) and internal combustion engines (inherently present to drive the generators), by which the generator can be driven arranged in adjacent compartments 56 of one of the vessel protection areas (the fourth deck).

With regard to claim 3, the propulsion segment 98 includes a thruster segment 136.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 18 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levedahl in view of WO 02/057132.

For claim 18 Levedahl does not disclose that the internal combustion engines for the first electrical system are gas turbines. WO 132 discloses that the electric motors for the jet propulsion systems are supplied with electrical power from gas turbine generators. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to use gas turbines to drive the generators disclosed in column 6, line 45 of Levedahl. Motivation to do so is the advantages of using a turbine over a piston and cylinder engine.

For claim 39 Levedahl does not disclose the used of a 0.3 MW bow jet thruster. WO 132 discloses lateral thruster 9. It would have been obvious at the time the invention

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was made to a person having ordinary skill in the art to which said subject matter pertains to provide the ship of Levedahl with a bow jet thruster similar to 9 of WO 132. Motivation to do so is to allow the vessel to be docked without a tug boat.

To make it a 0.3 MW also would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains as this would enable the thruster to be driven by an electrical motor and to also have sufficient power to maneuver the vessel.

Allowable Subject Matter

6. Claims 2, 4-17, 19-38 and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. After further consideration of Levedahl, of record, prosecution is reopened and allowed claims 1, 3, 18 and 39 are now rejected with Levedahl taken alone or in combination with WO 02/057132.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 571-272-6679. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 571-272-6684. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sherman Basinger/
Sherman Basinger
Primary Examiner
Art Unit 3617

5/29/07